

LOWER PAXTON TOWNSHIP ZONING HEARING BOARD

Meeting of November 29, 2012

Members Present

Richard Freeburn
Sara Jane Cate
Greg Sirb
Jeffrey Staub
David Dowling

Also in Attendance

James Turner
Dianne Moran

SE 12-05

Applicant: Greendrop Realty, LLC

Address: 4136 B Blanche Road
Bensalem, PA 19020

Property: 5001 Jonestown Road
Harrisburg, PA

Interpretation: Article 306.B.2 – Allowed uses in Primarily Business Zoning District.
A Recycling Center, Bulk Processing is a Special Exception Use in the Commercial General Zoning District and requires a zoning decision by the Zoning Hearing Board

The applicant proposes to operate an inlet for the goods and products collected at the property at 5001 Jonestown Road

Grounds: Article 3 of the Lower Paxton Township Zoning Ordinance pertains to this application.

Fees Paid: November 2, 2012

Property Posted: November 20, 2012

Advertisement: Appeared in The Paxton Herald on November 14 and 21, 2012.

The hearing began at 7:54 p.m.

Mr. Freeburn swore in Ed Coscantini, Pennsylvania Donor Services, the paid solicitor on behalf of the Military Order of the Purple Heart Service Foundation, 4136 Blanche Road, Bensalem, Pennsylvania; and Dan Battista, Director of Site Acquisition for Greendrop for the Pennsylvania area with an address of 4136 Blanche Road, Bensalem, Pennsylvania.

Mr. Freeburn noted that it is customary for the Board to make the applicant for special exception an exhibit and he questioned if the applicant had any problems with that. Mr. Coscantini answered no.

Mr. Freeburn noted that Ms. Moran, Planning and Zoning Officer for Lower Paxton Township had been previously sworn in.

Ms. Dianne Moran advised that the appropriate fees were paid on November 2, 2012. The proper advertisements appeared in The Paxton Herald on November 14 and 21, 2012. The hearing notices were posed on November 20, 2012

Ms. Moran noted that this special exception concerns Article 306.B.2 – Allowed uses in Primarily Business Zoning District. She noted that a Recycling Center, Bulk Processing is a Special Exception Use in the Commercial General Zoning District and requires a zoning decision by the Zoning Hearing Board. She explained that the applicant proposes to operate an inlet for the goods and products collected at the property at 5001 Jonestown Road

Mr. Dan Coscantini distributed additional information about what they do as their use is different from the standard retain use. Mr. Sirb noted that this is a Commercial General Zoning District, and he questioned why they would need a special exception since they are a drop off center. Mr. Sirb questioned if Greendrop would be recycling items. Mr. Coscantini answered that they will not. He noted if you turn to page two, it is the opposite of a retail store where the product comes in on a truck and is put on a shelf and goes home with the customer. He noted that the customers drive up, we take their product and it goes on the truck and gets taken to the processing locations. He noted that it is a concept that is sometimes difficult to fit in zoning laws. Ms. Moran noted that she discussed this with Mr. Stine and noted that a recycling center is not a permitted use in a Commercial General Zoning District as it fits into the definition of a recycling center. She noted that it is permitted in the Light Industrial and General Industrial zoning areas.

Mr. Coscantini noted that is why we are here tonight trying to explain what we do and how we do it. He noted that is why he provided the packet of information to the Board members. He noted that it is just a drop off site. He noted that people who are donating don't like taking their goods and putting them in a box that is dropped off and gets wet. He noted as part of the Purple Heart, presuming that many of you have seen our trucks in the area as we have been picking up items for over 50 years. He noted that many of our donors prefer the opportunity when they are ready to donate to have a place to take the goods and donate it to The Purple Heart Veterans. He noted that there are very many underutilized sites, closed gas stations, and the goal for this site at 5001 Jonestown Road, noting that the owner wishes to redevelop the site, and between now and the time when he does do that, we would like to have the opportunity to collect donated goods at this location. He noted that it is highly visible, has great ingress and egress and it is safe and clean. He noted that we have done this in areas outside Philadelphia in Delaware, Chester and Montgomery Counties. He noted that it has been well accepted by those Townships for taking underperforming or closed sites, cleaning them up, staffing them with people, creating jobs and ultimately it is about the collecting goods on behalf of veterans since 1959. He noted

that they have contributed tens of billions of dollars for Purple Heart veterans by taking these goods and marketing them for cash

Mr. Sirb noted that he understands the process as he passed one of their centers in Bensalem, but if you have a ton of deliveries can you store all that or do you have the trucks come more frequently. Mr. Coscantini noted that is how it is done. He noted that we are not Sanford and Son. He noted that the hours will run from 9 a.m. to 8 p.m. staffed with people. He noted if someone drops off something at 6:30 a.m., as soon as the employee shows up, he or she will get everything inside and out of sight. He noted that we can't let it look like a junkyard. He noted those were the challenges that Aston Township, West Chester Township and Montgomery County presented to us and they clearly see that we know how to manage this. He noted that we have been doing this for 50 plus years.

Ms. Cate questioned if it was a profit or non-profit organization. Mr. Coscantini answered that it was non-profit. He noted that we do get paid by the Military Order of the Purple Heart Service Foundation as a solicitor but everything that we raise; the costs are reimbursed, and as much as we sell goes to the Purple Heart.

Mr. Sirb questioned if the applicant had a list of items that they do not accept and what if someone leaves one of those products at 6:30 in the morning. Mr. Coscantini answered that it is his problem and he will take care of it. He noted that someone might leave a couch and you can't do anything with it so it is their problem, noting when people do that it hurts the charity. He noted that most people do the correct thing.

Mr. Staub questioned if there are other charities that you can drop off for donations at the center. Mr. Coscantini answered, at this time, it is merely for the Purple Heart Foundation but he is currently working with other charities who like the concept, and he wished he could name them as you would recognize them, however he can't do that at this time since he does not have a formal contract. He noted that ultimately he would like to have a laundry list of charities that a person could donate to. He noted that we are very good at managing that process.

Mr. Staub questioned if all donated items only go to the Purple Heart Foundation at this time. Mr. Coscantini noted that all is attributed to the Purple Heart Foundation. He noted that the name of the company is Greendrop, because if it was just called the Purple Heart there may be certain people who don't want to donate to a military based charity. He noted that we chose to use a generic name for use as we plan to add more charities.

Ms. Cate suggested that the building is rather small for what is proposed. Mr. Coscantini explained, for as often as we will move the product in and out, it is ideal. Ms. Cate noted that she was in it the other day. Mr. Coscantini noted that it is logistics. Ms. Cate noted that Mr. Coscantini spoke about a truck and questioned if it was going to be parked there all the time. Mr. Coscantini answered that our mobile units that will be doing the residential pickups, and when they are done they will be parked in the back and at 7 a.m. they go out again.

Ms. Cate questioned if the large trailer will be parked there all the time. Mr. Coscantini answered that it is mobile and they will be exchanging trailers, in and out. Ms. Cate questioned how long will it be staying there. Mr. Staub questioned if the trailer is there all the time. Mr. Coscantini noted that it will be in and out depending on how fast the building fills up. He noted that every three days, it will show up for that particular day to be loaded. Mr. Turner questioned if he would be storing stuff in the trailer. Mr. Coscantini answered that he will use the building to store stuff. Mr. Turner questioned if on the day the trailer is delivered, that you move it into the trailer. Mr. Coscantini answered once it is filled we will move it out. He noted that it is an item of logistics for us.

Mr. Freeburn questioned where the trailer is taken. Mr. Coscantini noted that the material is sold; it is taken to a broker and wholesaler who sells the stuff to the general market. Mr. Freeburn questioned if there is a central place it is taken to sort it out... Mr. Coscantini answered no, as there are multiple places. He noted that a broker may instruct him to deliver it to different locations. Mr. Freeburn questioned if there was a main warehouse. Mr. Coscantini answered that there is no centralized production facility. Mr. Freeburn noted that Goodwill has a plant. Mr. Coscantini noted they are huge but we have multiple sites.

Ms. Moran noted when she spoke to Mr. Battista he stated that there will be trucks on the site, boxes and this trailer. Mr. Battista stated that there will be no boxes. Ms. Moran noted no collection boxes. Mr. Battista answered that was correct. Ms. Moran questioned how many trucks would be there. Mr. Coscantini answered three or four. Ms. Moran questioned if your testimony is that the trailer will not be located at the site. Mr. Coscantini answered not all the time. Mr. Battista noted that it is will be there when we need to fill it up with goods. She questioned if it would be there for a 24-hour period. Mr. Battista noted that it may be there for a 24-hour period depending on what time it gets there and when the building gets filled. He noted that it may be dropped off at night and the next morning the worker will fill it up from the materials stored building, and then call someone to pick it up and take it away. Ms. Moran questioned if this is what the trailer looks like, a billboard effect. Mr. Battista noted that it will be branded, that is not necessarily the final look, but it will be branded.

Mr. Freeburn noted that Ms. Moran was talking about the three or four trucks that will be parked on site; you are talking about the box trucks which are depicted on the bottom corner of the second page of the exhibit. Mr. Battista noted that they are the traditional trucks that are run for the house pick up. Mr. Freeburn questioned if employees will be coming on site every day to get those trucks and take them out to locations. Mr. Battista answered that depending on how quickly the materials are collected; he noted that it would be great if we could collect every day. He noted that he did not think that would happen.

Mr. Freeburn questioned what the purpose of the trucks being on site is. Mr. Coscantini answered that they are there to facilitate the home pick ups in the Harrisburg area. He explained that we run those trucks from Baltimore and Philadelphia. He noted that the Harrisburg area is such a good area that if it can sustain four trucks, they will go out every morning to stop at the homes on their list and run their routes everyday. He noted that the drivers will start at 7 a.m.,

return back, and those goods will be put into a big trailer or the building. He noted when the building gets full that is the time that the trailer needs to be filled and out the door.

Mr. Freeburn noted once the building is full, you call for a trailer which is depicted at the top of page two of the exhibit. Mr. Coscantini suggested that it will be every other day. Mr. Coscantini noted if it was everyday it would be great.

Mr. Freeburn questioned if the building will be staffed. Mr. Battista answered yes. Mr. Freeburn questioned how many people would be on staff. Mr. Coscantini answered that it would be one to two. Mr. Freeburn questioned what the hours are. Mr. Coscantini answered 8 a.m. to 8 p.m. Monday through Sunday. He noted that it is all about convenience, noting that people clean out their homes over the weekend. He suggested that the Sunday hours would be 11 a.m. to 5 p.m.

Mr. Freeburn questioned how much parking is on that lot. Mr. Coscantini answered that it is a big lot. Mr. Battista noted that most customers are coming up and we take the items out of the car for them.

Mr. Freeburn noted that four trucks will be permanently stationed at the location that go out everyday. Mr. Coscantini answered yes. Mr. Freeburn noted that they would require four drivers who would drive to the site with their personal car. Mr. Coscantini answered yes. Mr. Freeburn noted that one or two staff people will be arriving in their own car. Mr. Coscantini answered yes. Mr. Freeburn questioned if there is enough parking to accommodate it. Mr. Coscantini answered yes.

Ms. Cate questioned if all the profit goes to the Purple Heart. Mr. Coscantini answered when the product is sold into the open market it all goes to the Purple Heart.

Mr. Sirb questioned who has the non profit designation. Mr. Coscantini answered that it is the Purple Heart. Mr. Sirb questioned if they hire Greendrop... Mr. Coscantini answered that they hire us as their paid solicitor. Mr. Sirb noted that you came up with the idea of Greendrop. Mr. Coscantini answered yes. He noted that the Purple Heart is very good and takes care of the veterans but they are not good at the logistics. He noted that is why he has been with them since 1959. Mr. Battista noted that we have moved from the house phone call to the pickup to a more convenient solution. He noted that is the need here. He noted that the home phones have dwindled and we want to be able the product when the donors are ready to do so.

Mr. Freeburn noted that Greendrop is a separate business organization from Purple Heart. Mr. Coscantini explained that we find the locations and brand them and open them, it has to be separate. Mr. Freeburn questioned if Greendrop is a non-profit. Mr. Coscantini answered that it is not, Pennsylvania Government Services is not a non-profit but they are retained by the Military Order of the Purple Heart to do exactly what we do which is to go get the stuff and get it sold into the open market, taking those items and converting it to cash to pay the Purple Heart. He noted that is what we have been doing for 53 years.

Mr. Staub noted that he was under the impression that if he wanted to donate a blanket to someone who was affected by Hurricane Sandy, that he could drop off ten blankets and they would make it happen. He questioned if it worked that way. Mr. Coscantini answered that no disrespect to any attorneys in the room but if a product is dropped off for Hurricane Sandy victims whether it was a blanket or clothes it could not be used by the Sandy victims. He noted that we would worry about bed bugs or all sorts of things. He noted that things have to be processed and handled and treated well. He noted if a coat is delivered and there is a needle in the pocket and if a victim puts their hand in the pocket and hits the needle, things have to be processed and handled appropriately. He noted that there are companies that handle these products.

Mr. Sirb noted that your company is not in the business of donating goods to another needy person. He noted that you sell the goods at a fair market value to make money for a charity. Mr. Coscantini answered that was correct. He noted when you donate a car, the car does not go to the charity, it gets converted to cash as charities need the cash. Mr. Sirb questioned that the more cash you raise for the Purple Heart, the more you guys get a fee for that. Mr. Coscantini noted that there is a contractual margin that we are paid.

Mr. Dowling questioned if Greendrop has any competitors or do they have the exclusive market. Mr. Coscantini noted that the Purple Heart issues territories by state and we have Pennsylvania, Delaware, New Jersey, Maryland and Virginia. He noted that other operators have contacts with the Purple Heart in California and Georgia.

Mr. Staub questioned if the Planning Commission weighed in on this issue. Ms. Moran answered that it was not presented to the Planning Commission. Mr. Staub questioned if the Board can act on this without a recommendation from the Planning Commission. Ms. Moran answered that you can.

Mr. Dowling questioned how long Greendrop will have a lease for this property. Mr. Battista answered that we have a six month lease as they only wanted to provide that term as they are looking for a much more lucrative contract. Mr. Coscantini noted in that we are a charity we don't have the resources as the property has significant value based upon location and he could never pay their market value rent for that property for a long-term lease. He noted that it would be a short-term lease although they hope to be there forever.

Ms. Cate questioned if you would have signage at that location. Mr. Coscantini answered on the building perimeter. He noted that he will put some signs on the glass windows and the perimeter on the top is the only signage we proposed. He noted that we will have signage to state what we collect and we will take the signs in at night.

Mr. Freeburn questioned if members of the Board had any questions for the applicants.

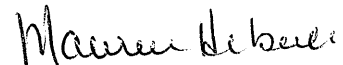
Mr. Freeburn questioned if anyone in the audience had anything to say on this application. No response was heard.

Mr. Freeburn noted that hearing no further testimony by the applicant, board members, or the audience, the board has 45 days to render a decision relative to this application.

Mr. Dowling made a motion to approve Docket #SE 12-5 as submitted. Mr. Freeburn seconded the motion. Mr. Turner conducted the following roll-call vote: Mr. Staub, nay; Mr. Dowling, aye; Mr. Sirb, aye; Mrs. Cate, nay; and Mr. Freeburn, aye. Mr. Turner noted that the motion carried.

The hearing ended at 8:22 p.m.

Submitted by:


Maureen Heberle
Recording Secretary

IN RE: : BEFORE THE LOWER PAXTON
: TOWNSHIP ZONING HEARING BOARD
APPLICATION OF : DAUPHIN COUNTY, PENNSYLVANIA
:
GREENDROP REALTY LLC : DOCKET NO. 12-05

DECISION GRANTING SPECIAL EXCEPTION

The applicant seeks a special exception to operate a donation center in the Commercial General Zoning District. A hearing on the application was held on November 23, 2012.

Facts

1. The applicant and proposed lessee of the property in question is Greendrop Realty LLC of 4136 Blanche Road, Bensalem, Pennsylvania. The property in question is owned by Mike Serluco of 400 N. Front Street, Wormleysburg, Pennsylvania. Appearing on behalf of the applicant were Ed Constantini of PA Donor Services, and Dan Battista, Acquisition Manager for the applicant.
2. The property in question is located on the southeast corner of U.S. Route 22 (Jonestown Road) and Devonshire Road. The parcel is improved with a commercial building and associated parking spaces formerly used as a car sales facility. The property is zoned Commercial General.
3. The applicant proposes to operate a drop center for the donation of clothing and used household items. The donated items would be collected and transferred to trucks for processing at the applicant's processing location. A portion of the proceeds would be donated to a charitable organization. There would be no long term storage or processing of the items on the property and it would not be used as a retail outlet. All items would be stored inside the existing building or in trucks awaiting

transfer. Trucks typically would come to the site 2-3 times per week. There would be no outside storage of materials.

4. Notice of the hearing was posted and advertisement made as required by the ordinance.

5. No one other than the applicant's representatives appeared to testify in favor of or against the proposed special exception.

Conclusions

1. Article 306.B.2 of the ordinance sets forth the permitted uses in the Commercial General District. A recycling center is a conditional use.

2. Article 116.B grants to the Zoning Hearing Board the power to grant special exceptions where the conditions set forth in Article 116.C. are met.

3. The Board finds that the applicant meets the standards set forth in Section 116.C. Given the location of the property, the traffic generated by the business will be minimal. Delivery trucks frequent the surrounding shopping center and the presence of a few more per week will have a minimal impact. The hours of operation are compatible with the commercial character of the neighborhood and no safety concerns exist. As the existing lot is nearly entirely paved there will be no impact on the natural features. The applicant will be able to meet other applicable laws and regulations.

Decision

In view of the foregoing and having considered the plans and testimony submitted to the Board, it is the opinion of the Board that the Special Exception should be and is hereby granted allowing the use of the subject property as a drop off location for

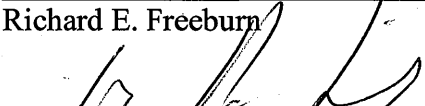
charitable donations of household items. In all respects the applicant shall conduct the business in strict accord with the plans and testimony presented to the Board.

Date: 1/10/13

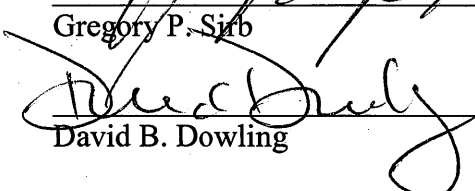
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Board members Staub and Cate dissent from the decision of the Board